

# EXHIBIT 18

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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NIKE, INC., )  
)  
Plaintiff, )  
)  
vs. ) No. 1:22-cv-00983-VEC  
)  
STOCKX LLC, )  
)  
Defendant. )  
\_\_\_\_\_)

H I G H L Y C O N F I D E N T I A L  
OUTSIDE ATTORNEYS' EYES ONLY  
VIDEOTAPED DEPOSITION OF JOHN LOPEZ  
SAN FRANCISCO, CALIFORNIA  
THURSDAY, FEBRUARY 23, 2023

STENOGRAPHICALLY REPORTED BY:  
ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~  
CSR LICENSE NO. 9830  
JOB NO. 5688745

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

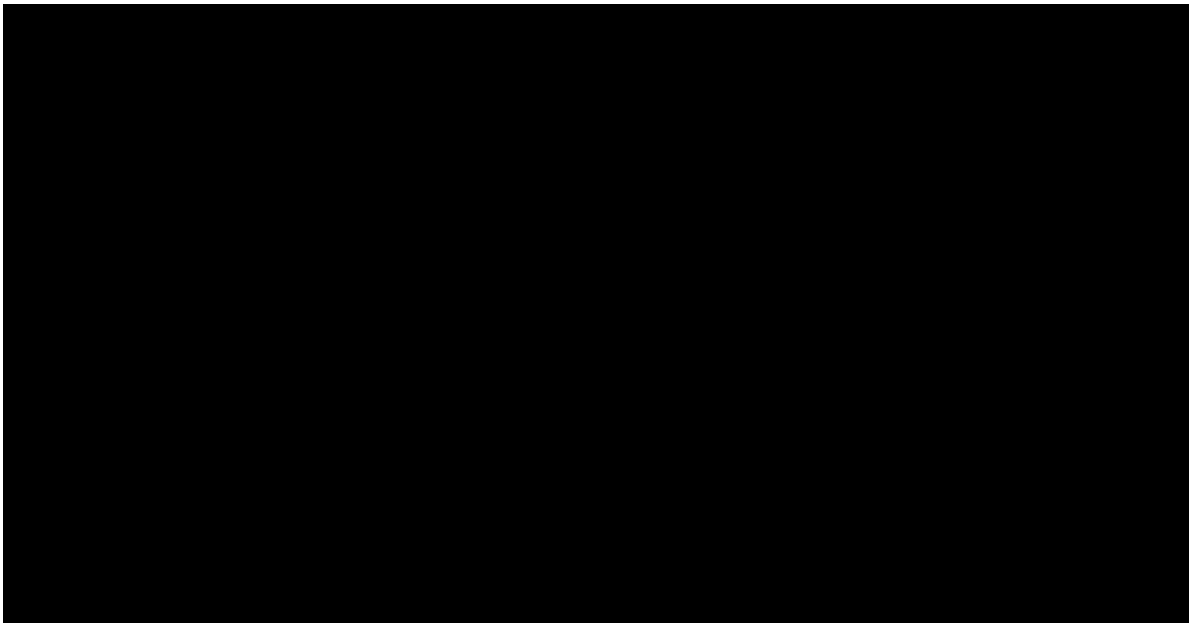
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NIKE, INC., )  
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Plaintiff, )  
)  
vs. ) No. 1:22-cv-00983-VEC  
)  
STOCKX LLC, )  
)  
Defendant. )  
\_\_\_\_\_ )

Videotaped Deposition of John Lopez, taken  
on behalf of the Plaintiff, Pursuant to Notice, on  
Thursday, February 23, 2023, beginning at  
9:27 a.m., and ending at 6:55 p.m., before me,  
ANDREA M. IGNACIO, CSR, RPR, CCRR, CRR, CLR ~  
License No. 9830.

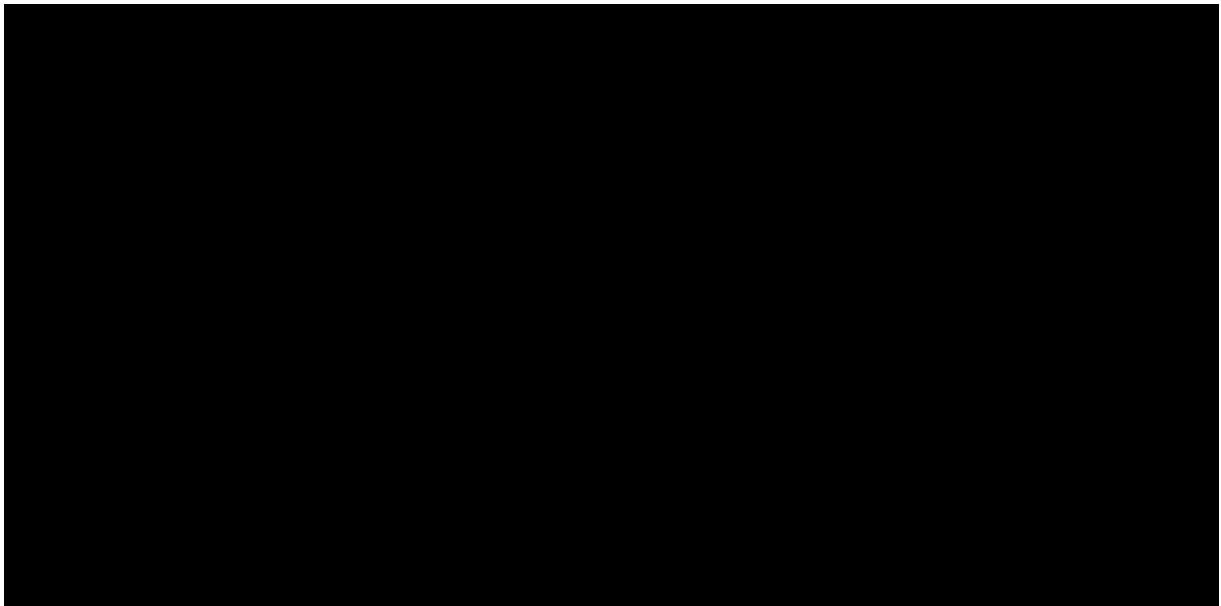
1 in the authentication position at StockX?

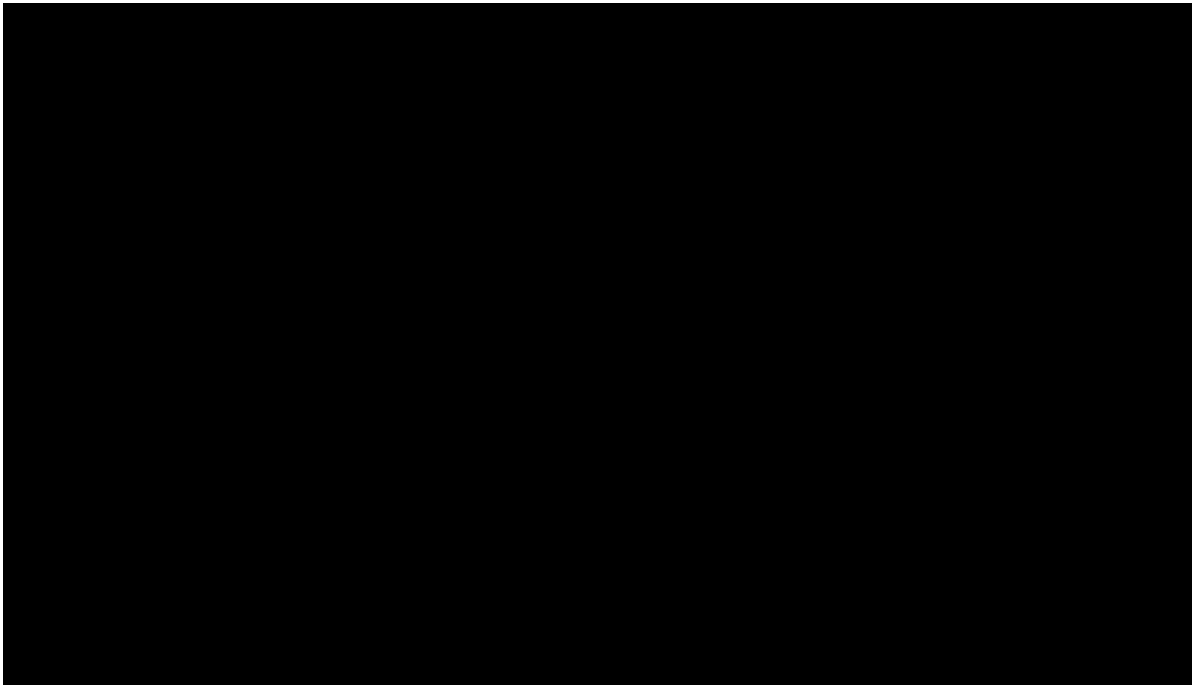
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Q So why did you become an AQA between Level 2 and 3 authenticator?

A So there was a need in our New Jersey warehouse at the time for an authentication quality assurance role. And I did interview for that role, and I was able to assume the position at that time.





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Q Were you employed prior to joining StockX in August of 2018?

A I actually was -- I -- sorry. Can you just rephrase that question.

Q Sure. Prior to joining StockX in August of 2018, did you have a job before that?

A I -- I had an LLC. I ran my own business at the time.

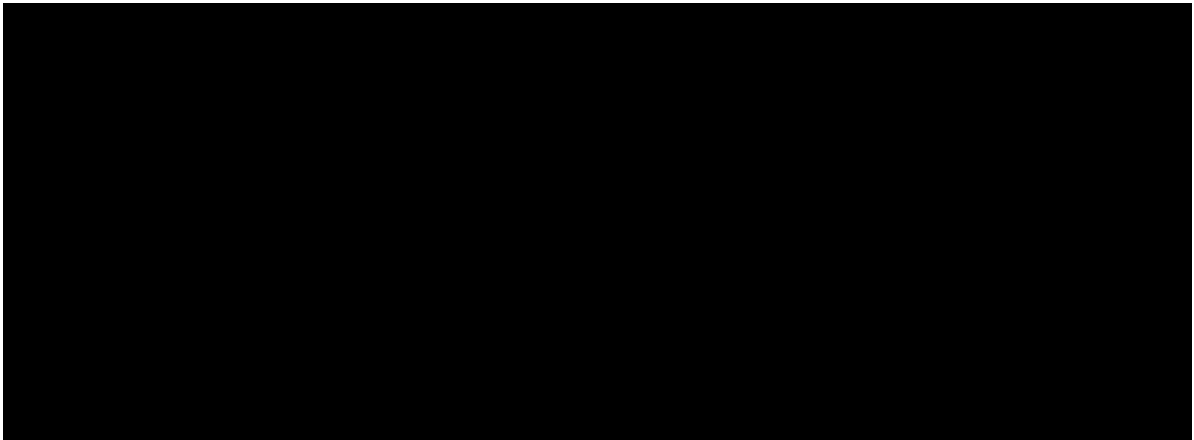
Q What -- what sort of business were you running at that time?

A A sneaker buy/sell/trade shop, brick-and-mortar store.

Q What was the name of your brick-and-mortar sneaker store?

A The Sole Market LLC. S-O-L-E.

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Q What do you mean by "defect"?

A Defect is a broad term. But essentially, it's a manufacturing issue that is caught at the authentication process.

Q And can you be more specific by what you mean with "manufacturing issue"?

A I don't know how else to put it.  
Would you like some examples?

Q Sure.

A An example would be a glue stain -- a noticeable glue stain on a sneaker. Poor aging or poor storage. So if one of our sellers leaves a shoe out in -- in -- in the sun or it gets yellow, that is something we deem as a defect or a non-passable defect, and so on and so forth.

Q Is that a manufacturing issue?

A In that example that I gave, no, that would not be.

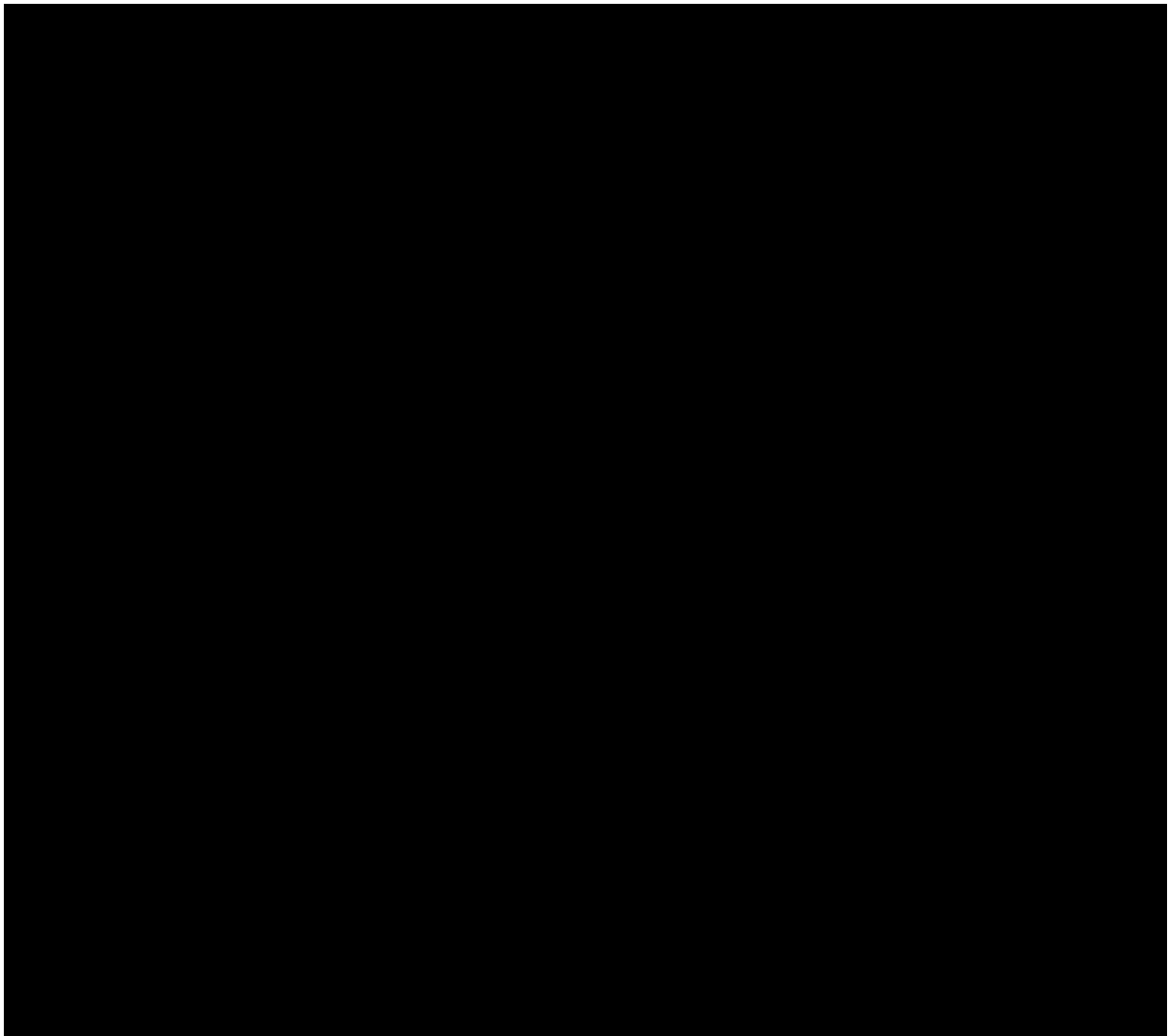
1 Q Okay. So other than a glue stain, what other  
2 manufacturing issue examples can you please provide?

3 A Another example would be a stitching defect,  
4 either a loose stitching or a missing stitching.  
5 Other examples could be heavy creasing, either on a  
6 toebox or a heel, without the shoe being worn.

7 Q Any others?

8 A Nothing I can think of right now.

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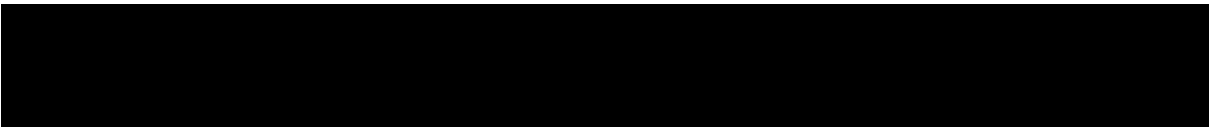
[Redacted]

Let me ask it a

1 different way.



5 MR. FORD: Objection to form.



8 MR. MILLER: May I have this one?

9 MS. VELKES: Uh-huh.

10 MR. MILLER: Hold it for both, and we'll get  
11 a different print of it.

12 MS. VELKES: Okay.

13 MR. MILLER: All right.

14 Why don't we stop here. We'll take a lunch  
15 break. It seems we have to reprint a couple of  
16 documents that got the bottom cut off, for some  
17 reason.

18 MR. FORD: AQA process.

19 MR. MILLER: Yeah.

20 THE VIDEOGRAPHER: I'm going to switch media.

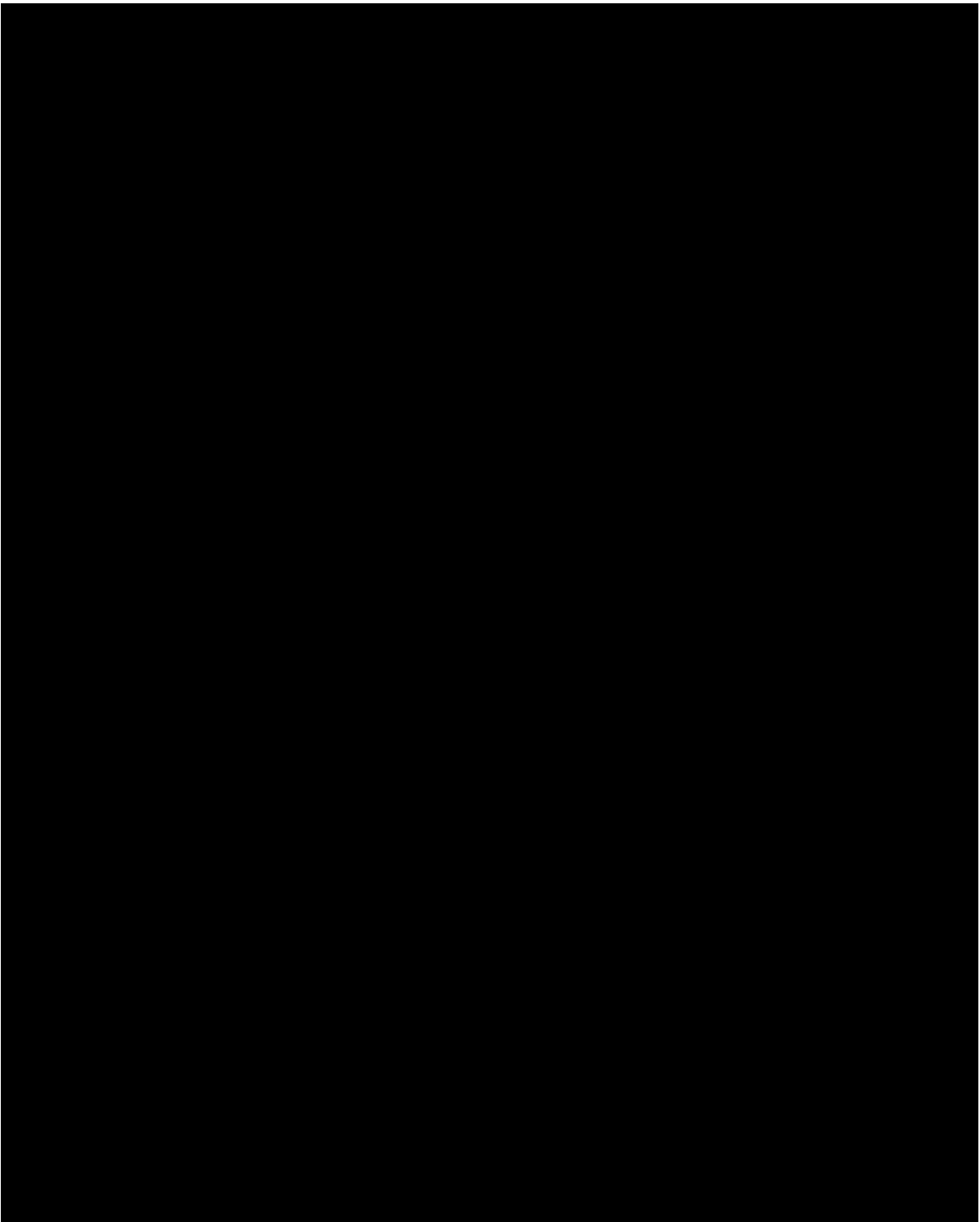
21 This marks the end of Media No. 3 in the  
22 deposition of John Lopez.

23 The time is 12:31 p.m. We are off the  
24 record.

25 (Lunch break taken at 12:31 p.m.)



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23           Q    How long do authenticators -- well, strike  
24           that.   Let me ask it differently.  
25                   How long does an authenticator 1, on average,

1 spend authenticating a single pair of shoes?

2 MR. FORD: Objection to form.

3 THE WITNESS: I can't give you an exact time  
4 or average on -- on -- on that.

5 MR. MILLER: Q. Why not?

6 A Every -- every authenticator and every rate  
7 is different at this current time.

8 Q When you were a Level 1 authenticator, how  
9 much time, on average, did you spend authenticating a  
10 single pair of shoes?

11 A I don't recall. I don't have an exact number  
12 for you.

13 Q Is there an authenticator at StockX who is  
14 known for spending the least amount of time  
15 authenticating a single pair of shoes?

16 A I don't know that.

17 MR. FORD: Objection to form.

18 MR. MILLER: Q. Have you ever heard anyone  
19 at StockX saying that it takes roughly 90 seconds, on  
20 average, for an authenticator to spend authenticating  
21 a single pair of shoes?

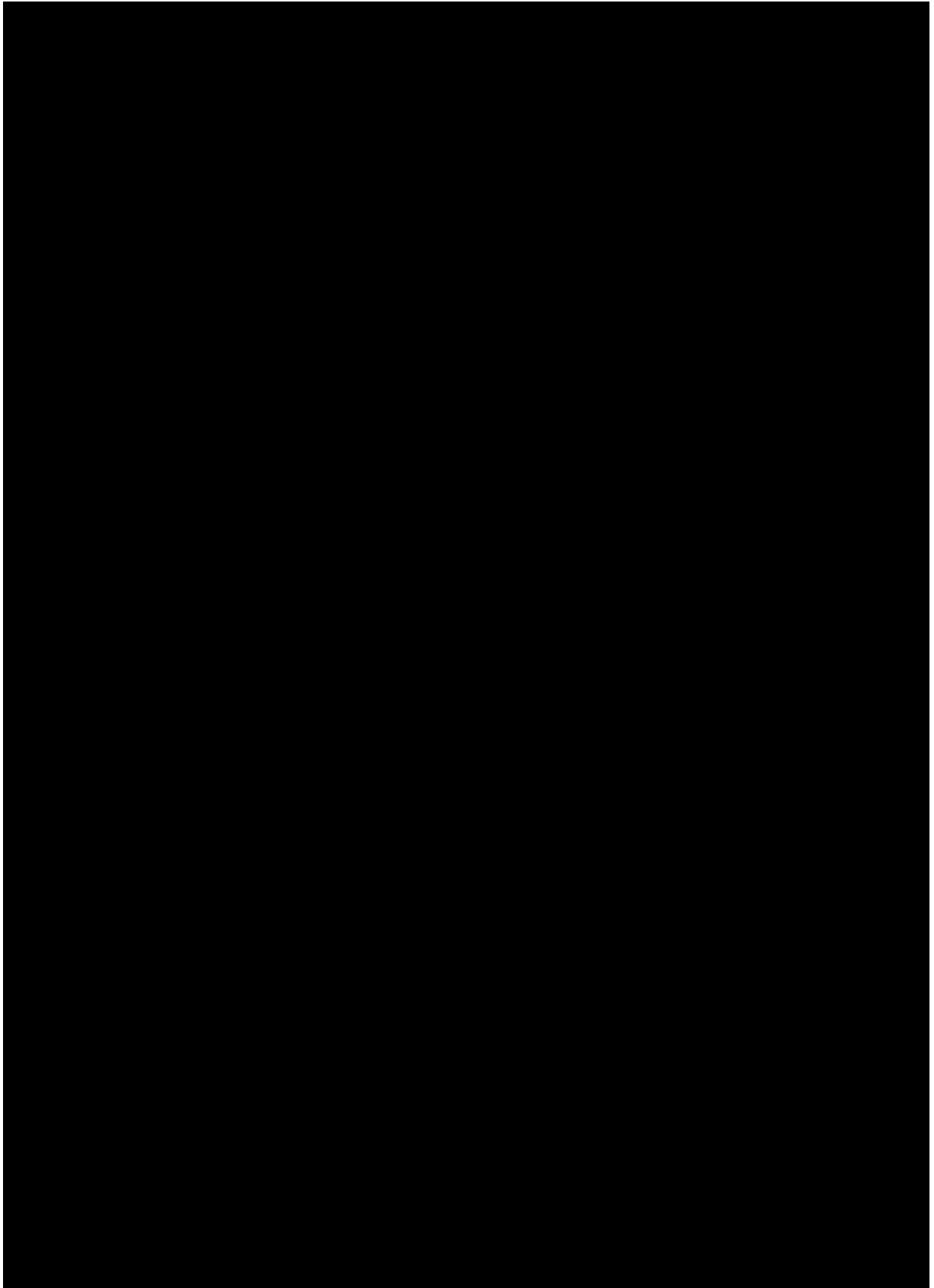
22 A I can't say that I recall that.

23 Q You've never heard that?

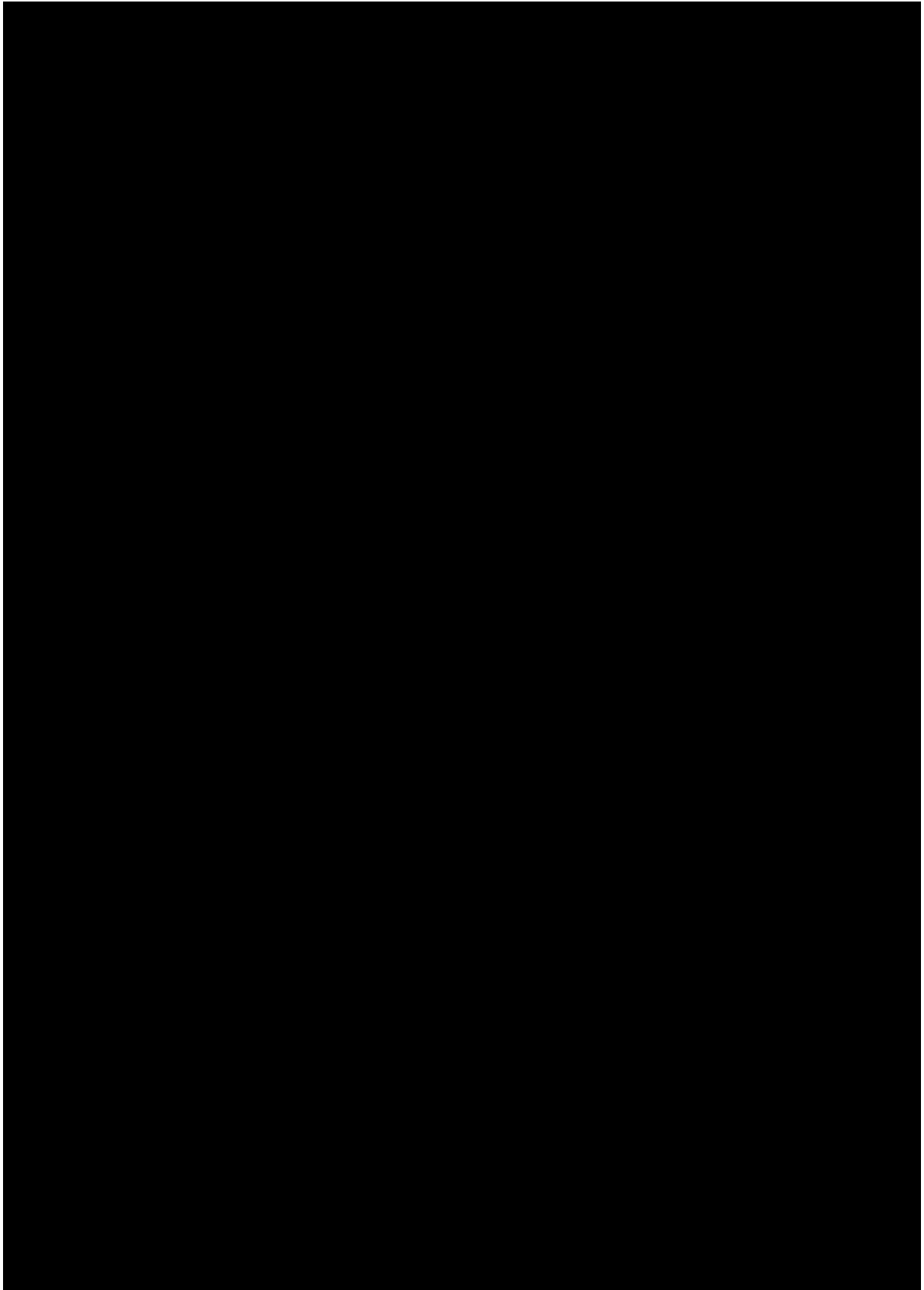
24 MR. FORD: Objection to form.

25 THE WITNESS: No, I can't recall that.

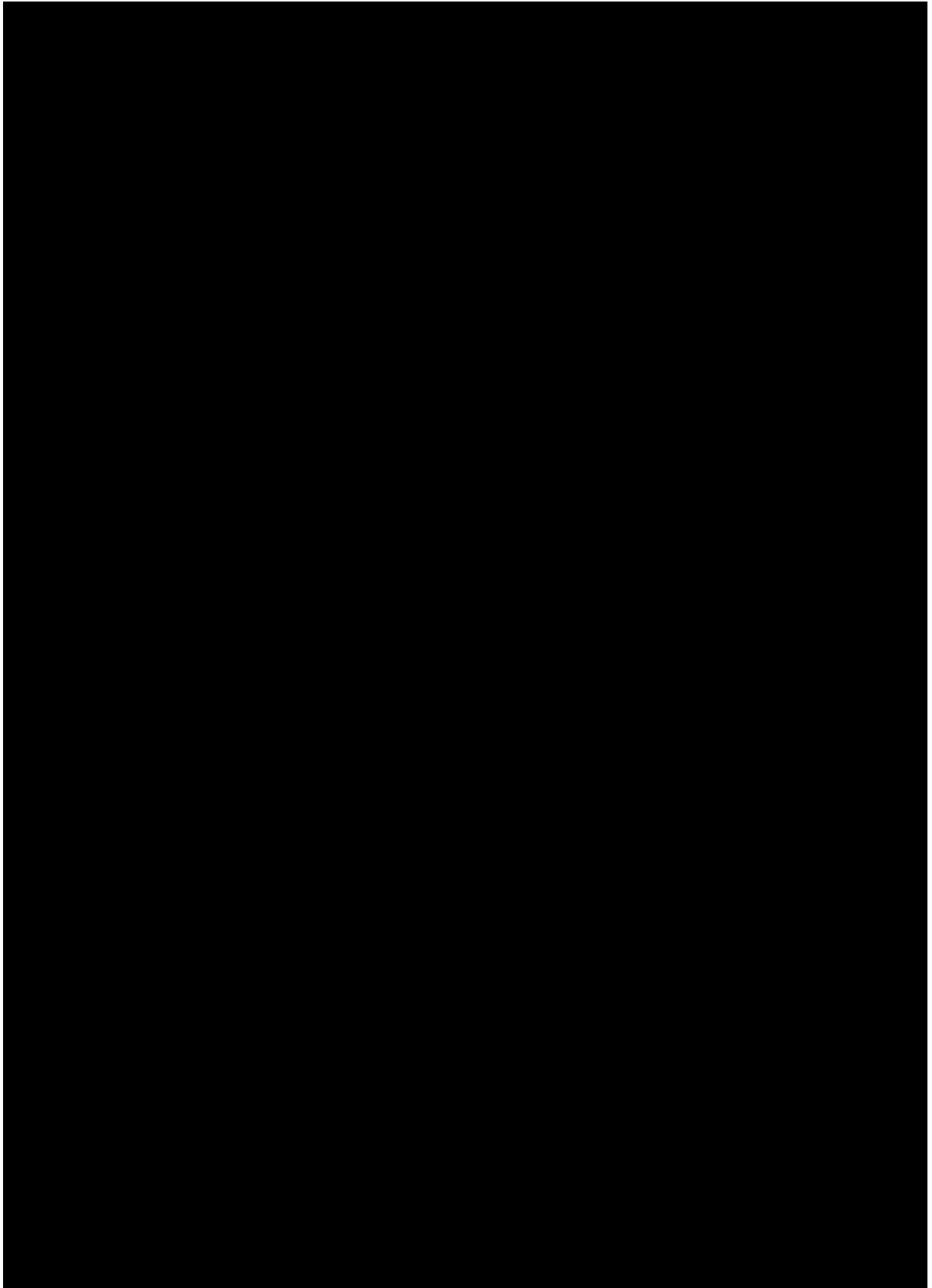
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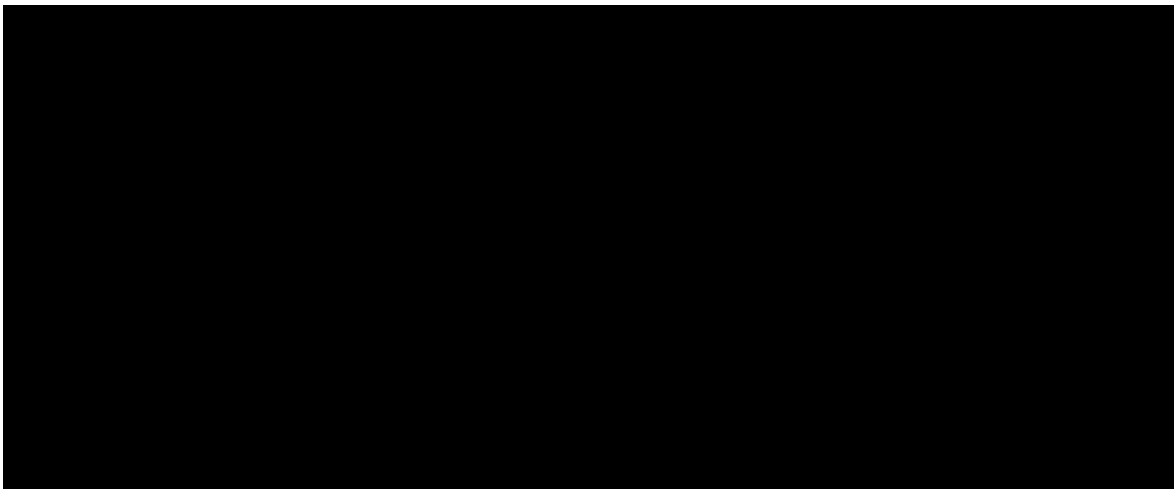
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Q So StockX receives products in authentication centers for Nike shoes before they are released through Nike.com website or the sneakers app?

MR. FORD: Objection to the form of the question.

THE WITNESS: StockX does receive pairs -- pairs before they are released by Nike.com, yes.

MR. MILLER: Q. How does that happen?

MR. FORD: Objection --

MR. MILLER: Q. Where do they come from?

MR. FORD: Objection to form.

THE WITNESS: I cannot say where they are coming from, but they are coming from our sellers on the platform.

MR. MILLER: Q. Do you know how sellers on StockX's platform obtain pairs of Nike shoes before they are released by Nike through the Nike.com website or the sneakers app?

1           A     I do not.

2           Q     Do you know if that happens for every Nike  
3 shoe that's going to be released into the market?

4           MR. FORD:   Objection to the form.

5           THE WITNESS:   Can you rephrase that, please.

6           MR. MILLER:   Q.   Do you know how often  
7 sellers on StockX's platform will send pairs of Nike  
8 shoes before the release date on the Nike.com platform  
9 or sneakers app?

10          MR. FORD:   Objection to form.

11          THE WITNESS:   I don't know.   I don't have an  
12 answer for the amount.

13          MR. MILLER:   Q.   Would you say it happens  
14 regularly?

15          A     Define what you mean by "regularly."

16          Q     If we're talking about ten releases of Nike  
17 shoes, ten different pairs, of those ten, how often  
18 will StockX receive product in its authentication  
19 centers before the Nike.com or sneakers app release  
20 date?

21          MR. FORD:   Objection to the form.

22          THE WITNESS:   Yeah, I would not be able to  
23 put an exact number on that.

24          MR. MILLER:   Q.   Would you be able to  
25 estimate?

1 A No --

2 MR. FORD: Same --

3 THE WITNESS: -- I would not.

4 MR. FORD: Same objection.

5 THE WITNESS: Yeah.

6 MR. MILLER: Q. You don't know one way or  
7 the other?

8 A I -- I would not be able to speculate on  
9 that.

10 (Document marked Exhibit 8  
11 for identification.)

12 MR. MILLER: All right.

13 Q Mr. Lopez, you've been handed a document by  
14 the court reporter marked as Exhibit 8. It is bearing  
15 Bates Nos. STX0752605 through '752642.

16 Do you see that?

17 A I do, yes.

18 Q Do you recognize this document?

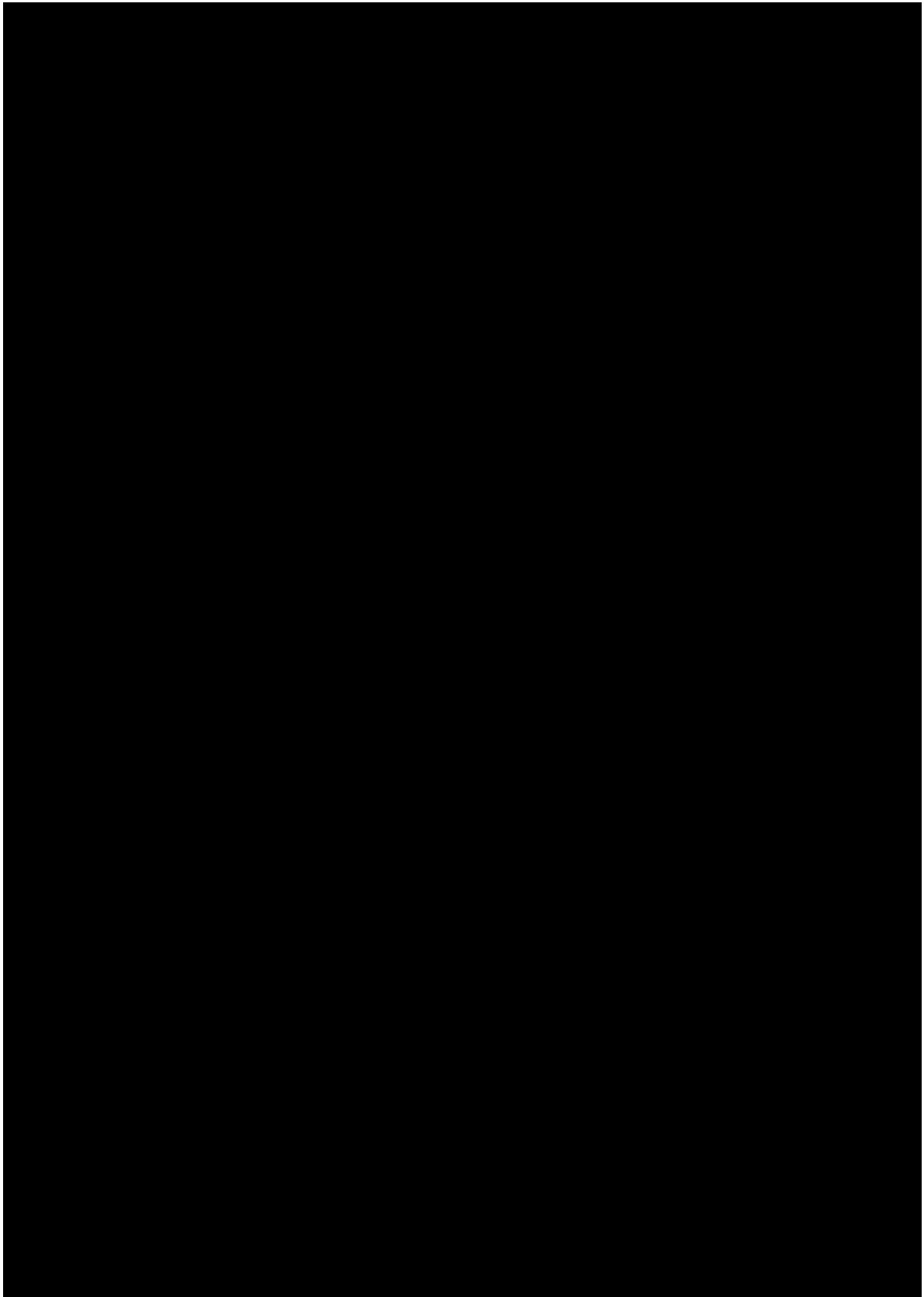
19 A I do, yes.

20 Q What is this?  
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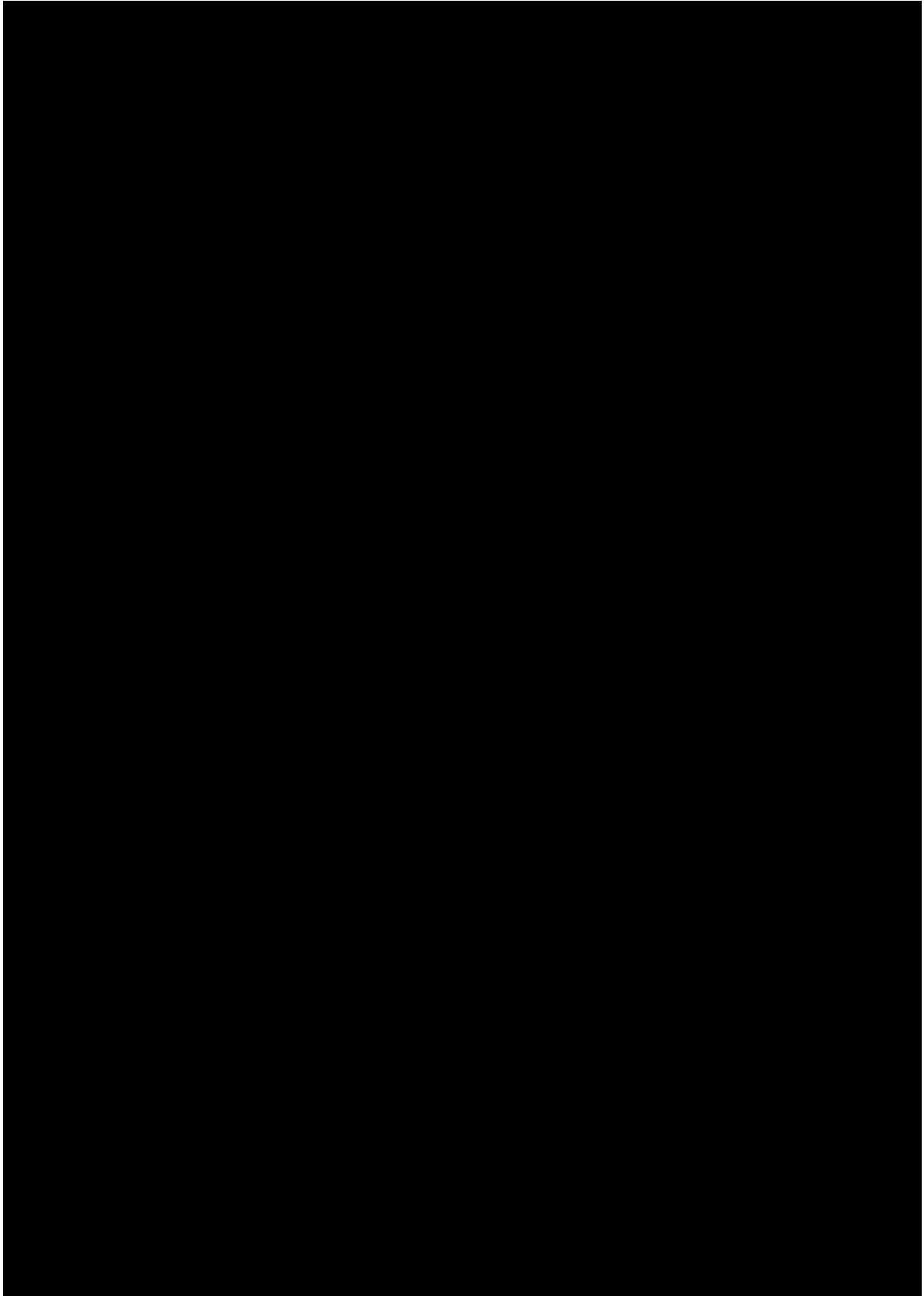




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1 Q I see.

2 MR. MILLER: Okay. Why don't we take a  
3 break.

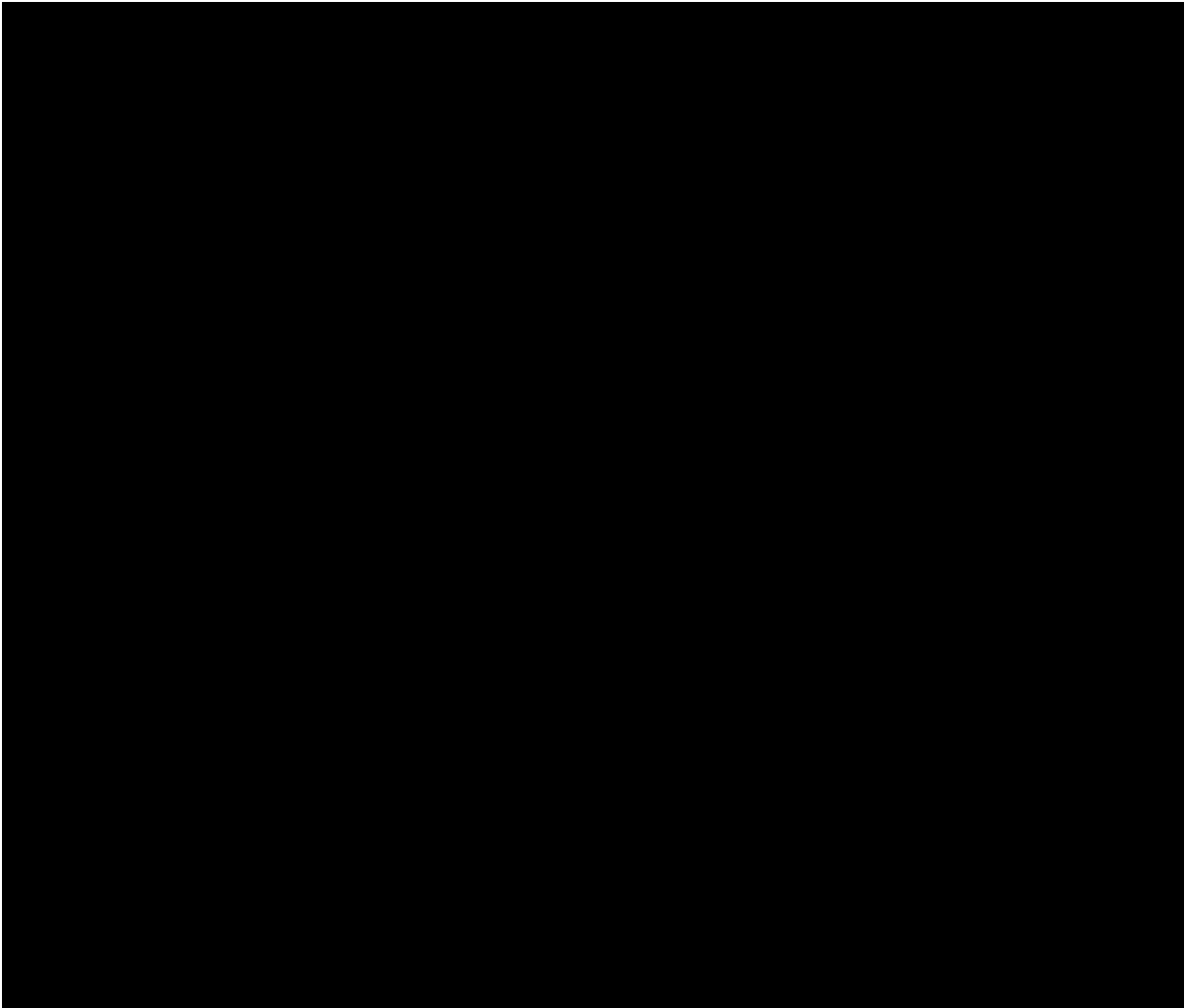
4 THE VIDEOGRAPHER: This marks the end of  
5 Media No. 4 in the deposition of John Lopez.

6 The time is 2:54 p.m. We are off the record.  
7 (Recess taken.)

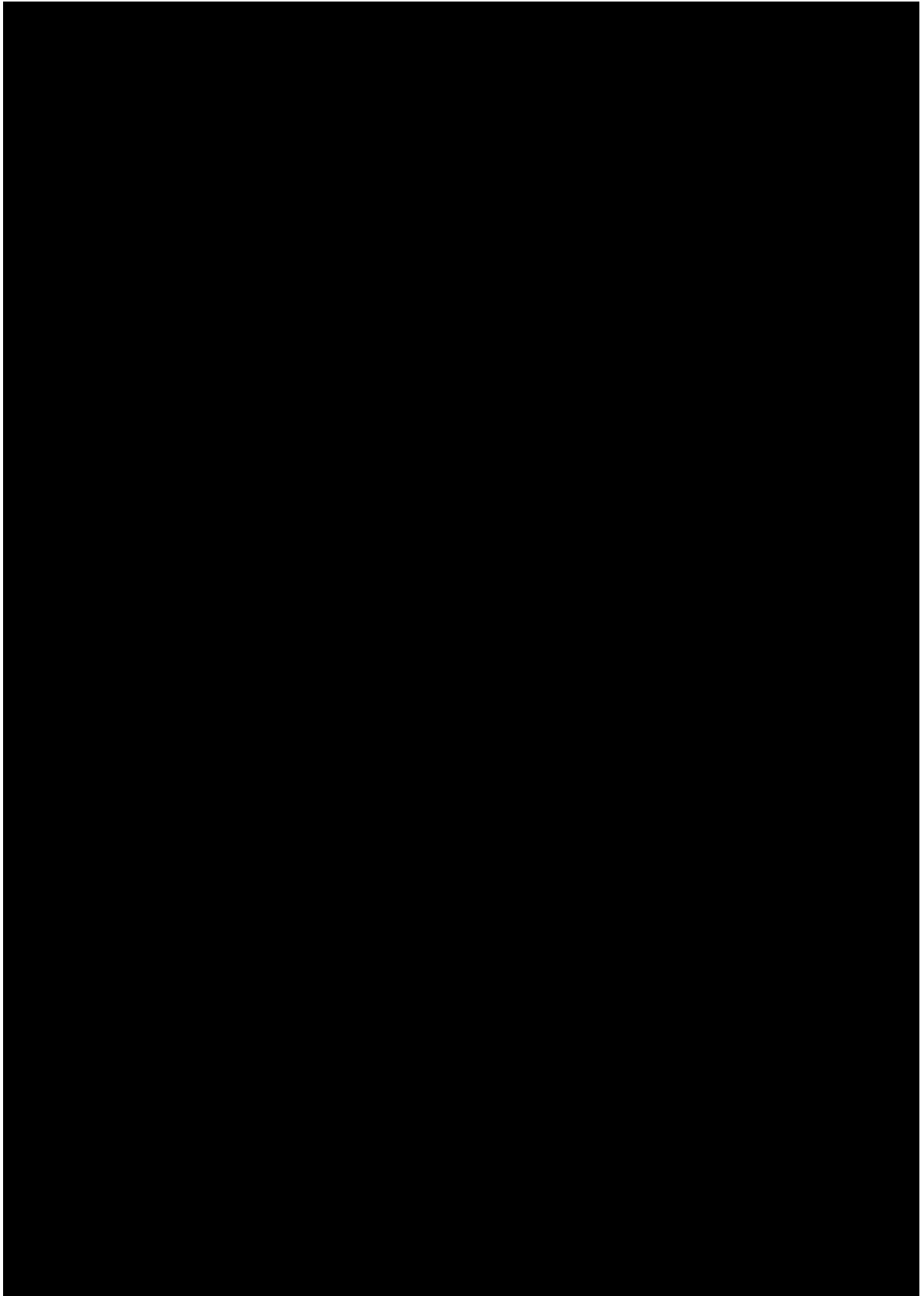
8 THE VIDEOGRAPHER: This marks the beginning  
9 of Media No. 5 in the deposition of John Lopez.

10 The time is 3:10 p.m. We are on the record.

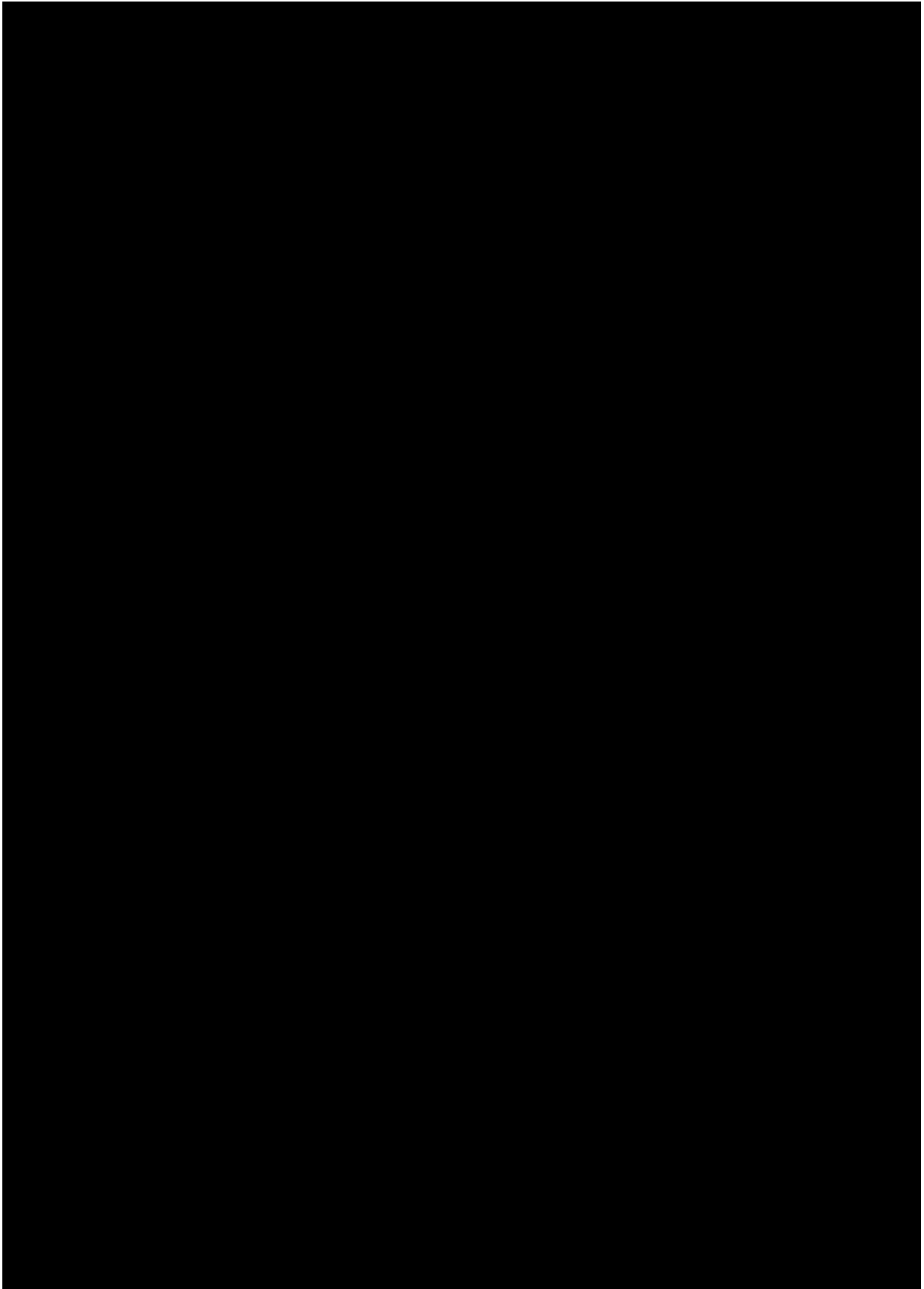
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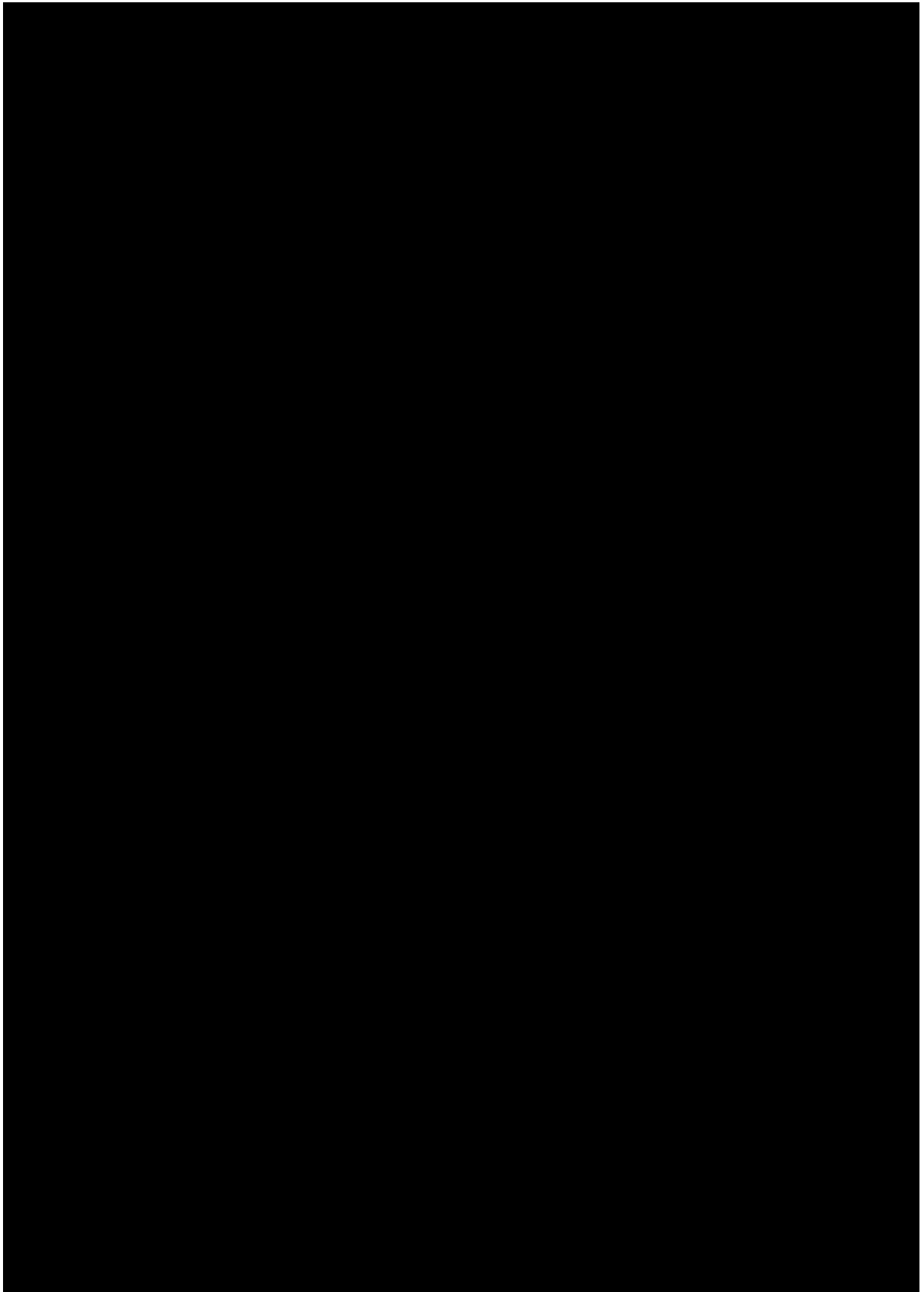
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1 MR. MILLER: Can I have the next one. Can  
2 you mark those two, please.

3 (Documents marked Exhibits 11 - 12  
4 for identification.)

5 MR. MILLER: So Mr. Lopez, you've been handed  
6 two documents.

7 Q The first one has been marked as Exhibit 11,  
8 and that's the one that's titled:

9 (As read):

10 "Jordan 1 High OG SP Fragment Design x Travis  
11 Scott."

12 Do you see that?

13 A I do, yes.

14 Q Okay. And it's bearing Bates stamp  
15 STX0058653 through '58669.

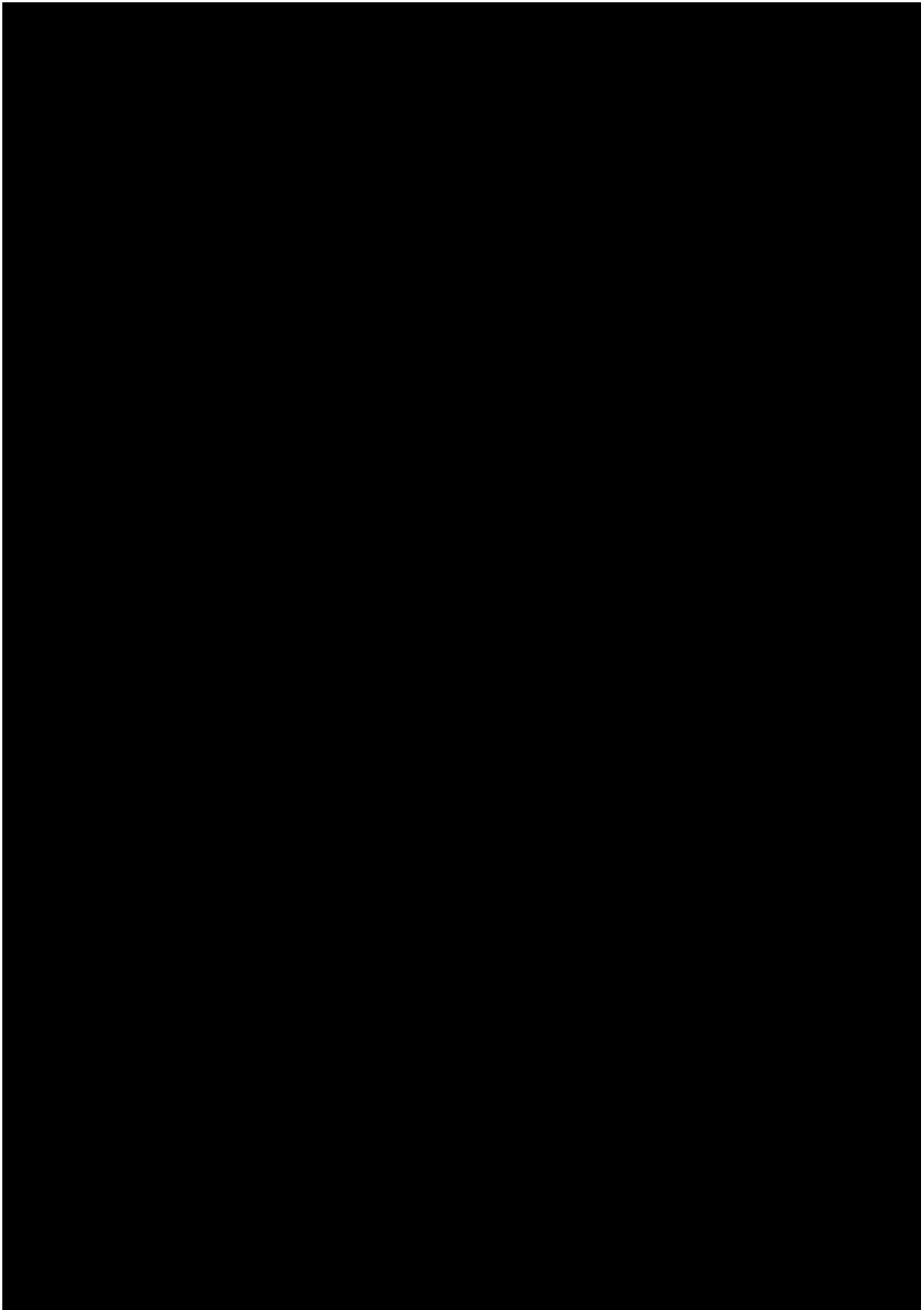
16 Do you see that?

17 A I do, yes.

18 Q Okay. What is this document?  
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1 please. This is a document titled:

2 (As read) :

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5 Do you see that?

6 A I do, yes.

7 Q Okay. And it's bearing Bates Nos. STX0058670  
8 through '58693.

9 What is this document?

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MR. MILLER: This is 13; right?

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STENOGRAPHIC REPORTER: 13.

8

MR. MILLER: Thanks.

9

(Document marked Exhibit 13

10

for identification.)

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MR. MILLER: All right.

12

Q Mr. Lopez, you've been handed a document from

13

the court reporter labeled as Exhibit 13. It's

14

bearing Bates Nos. STX0106086 to '6087.

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Do you see that?

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A I do, yes.

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Q Do you recognize this document?

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A Just give me a moment to read the document,

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please.

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Q Sure.

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A (Witness reading document.)

22

Okay.

23

Q Do you recognize this document?

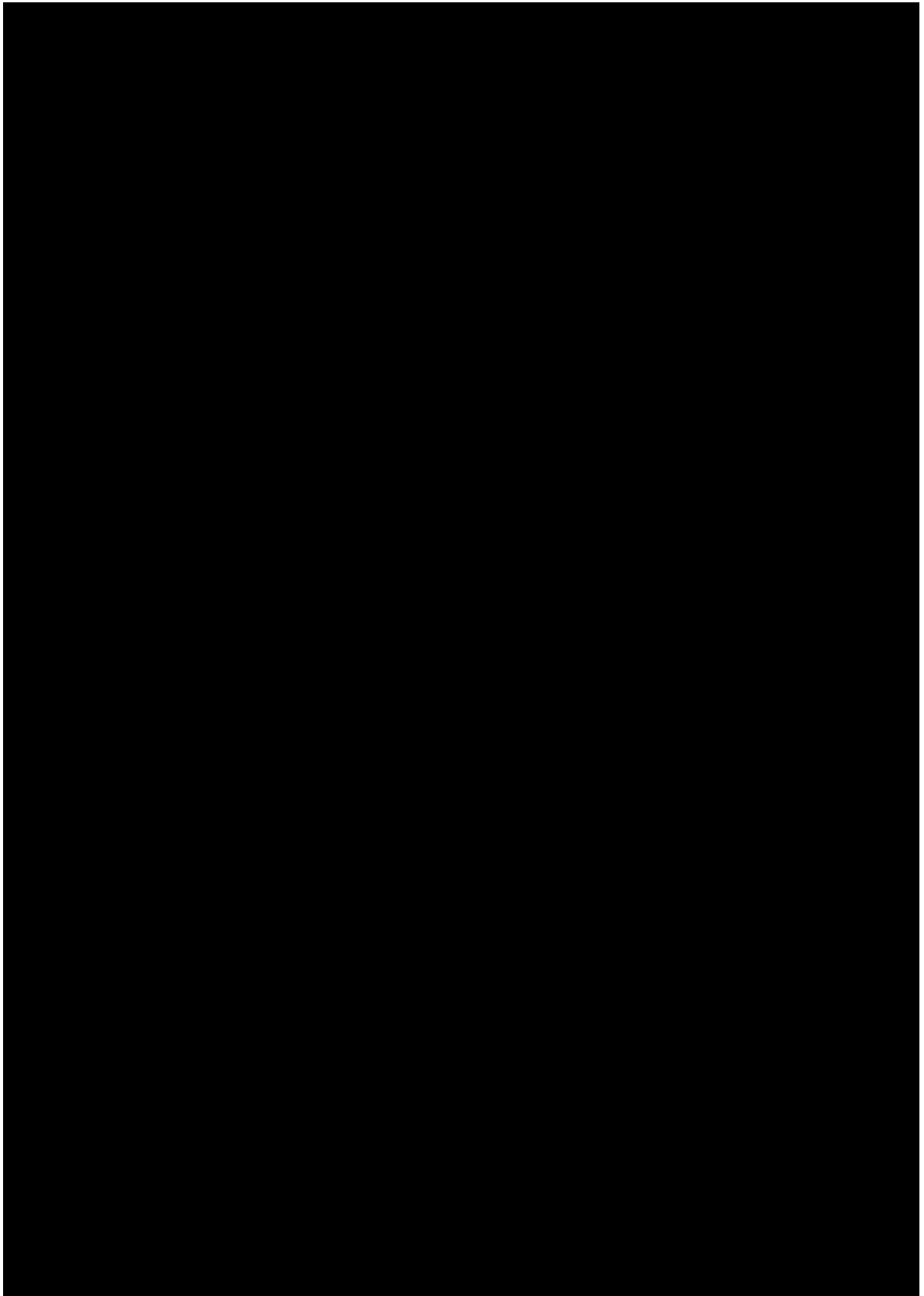
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A I do, yes.

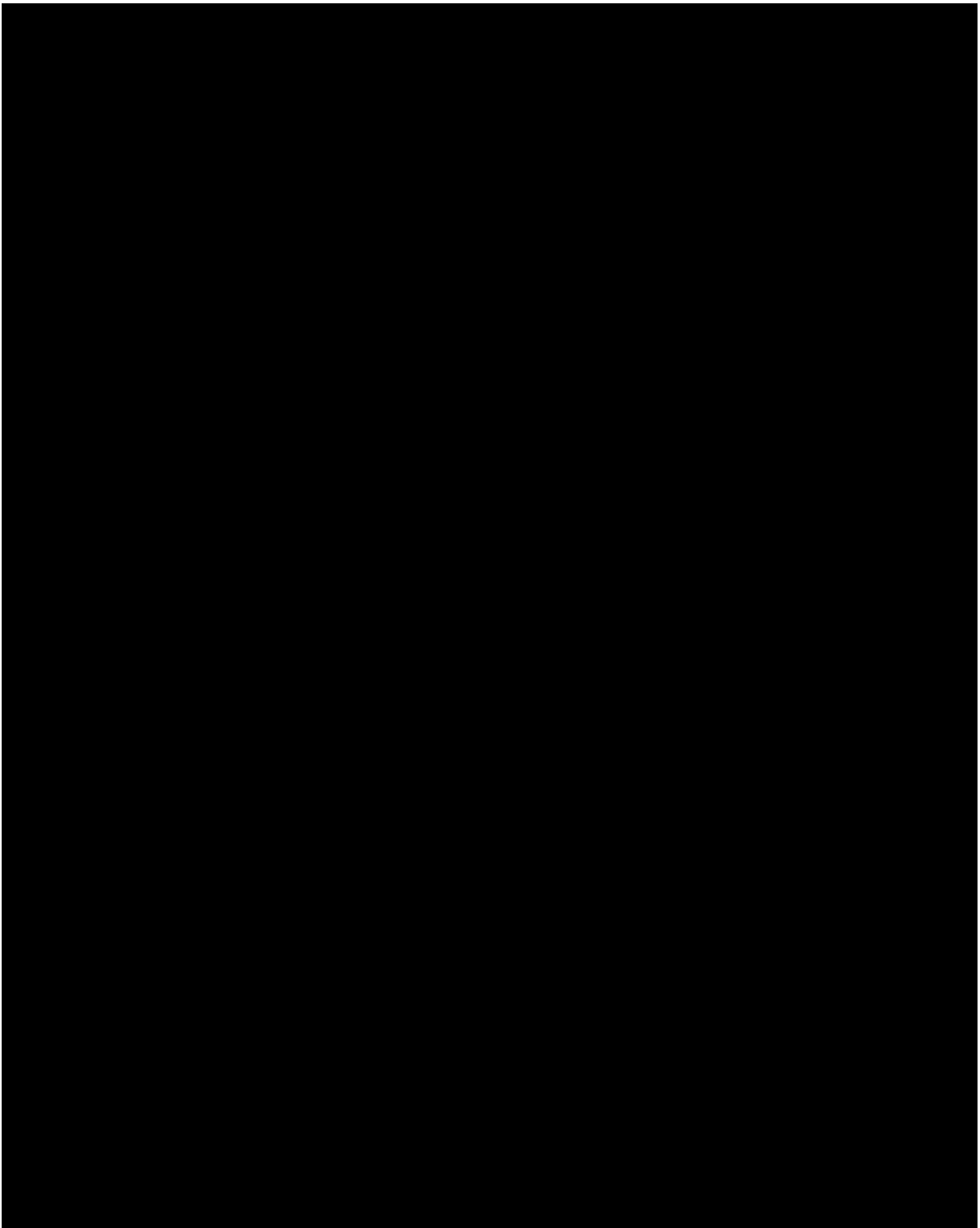
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23       A     So Nike classifies some products that don't  
24     meet their standards as B grade. And we do not allow  
25     B grade -- B grade shoes on our StockX platform, with

1 very small exceptions.

2 Q How do you know that Nike classifies certain  
3 products as B grade?

4 A My experience as a Nike consumer.

5 Q What is B grade?

6 A That is a Nike term, so I don't know the  
7 specifics on exactly what that means. But from my  
8 understanding, it means it didn't pass their initial  
9 quality standards.

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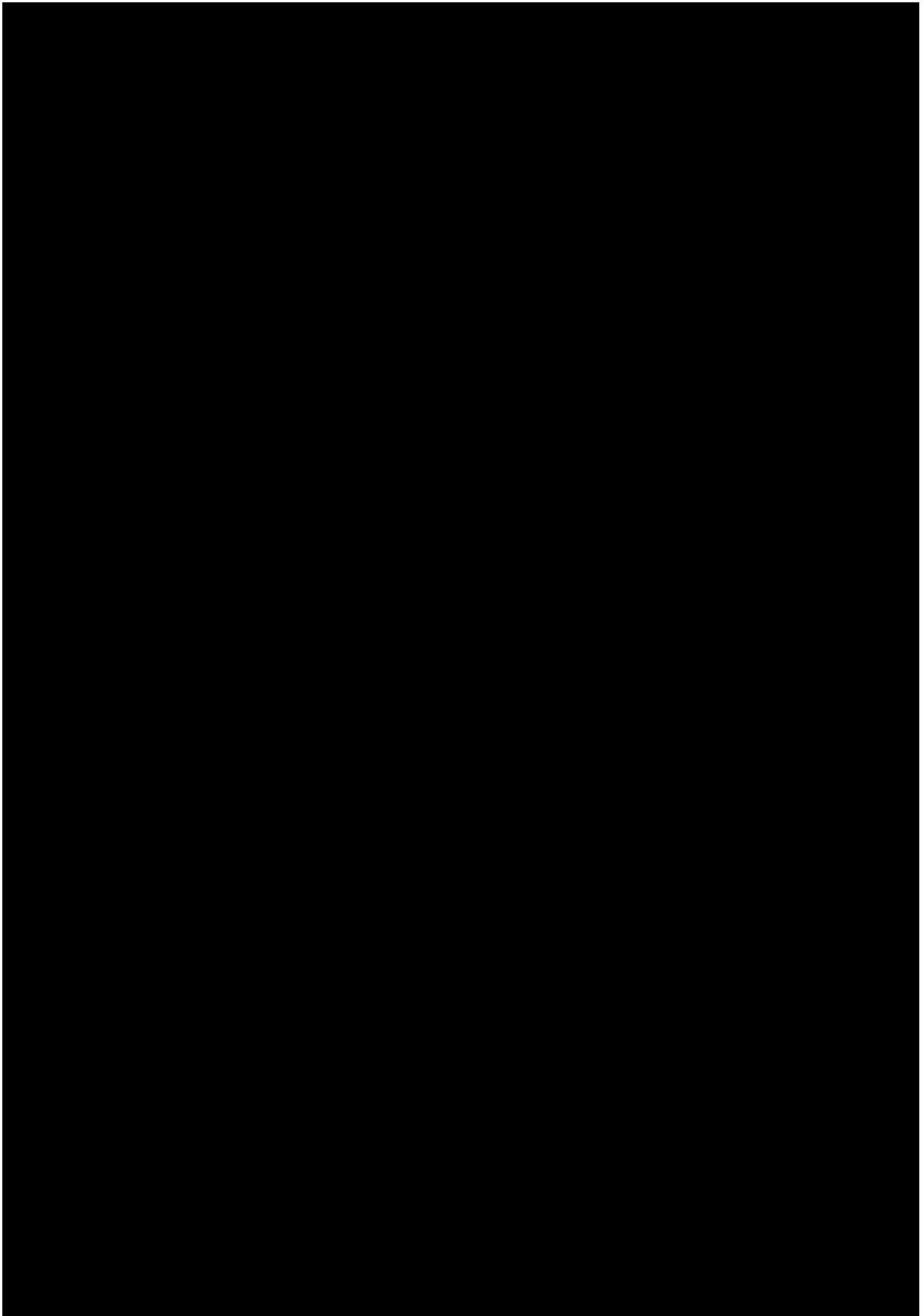
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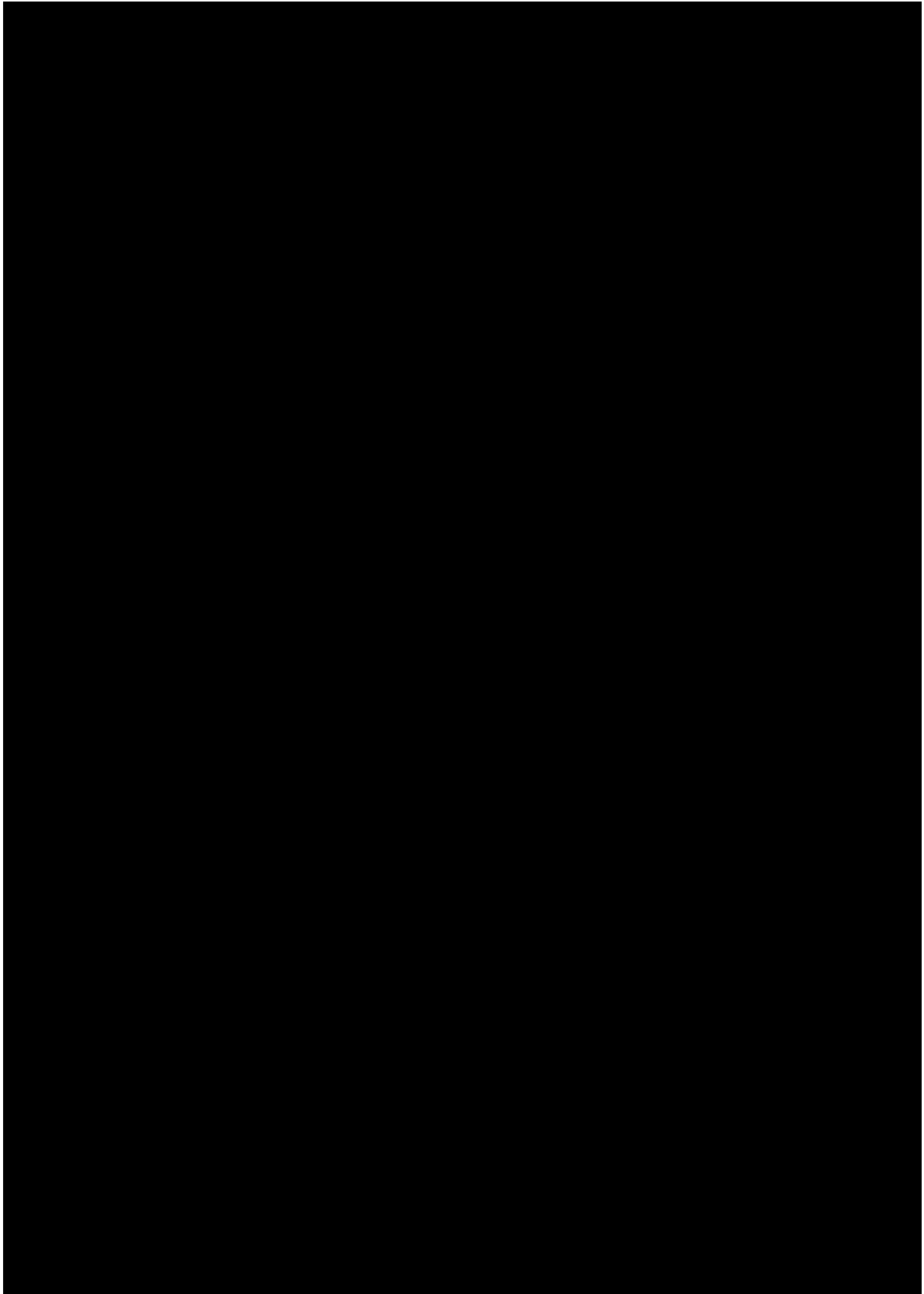
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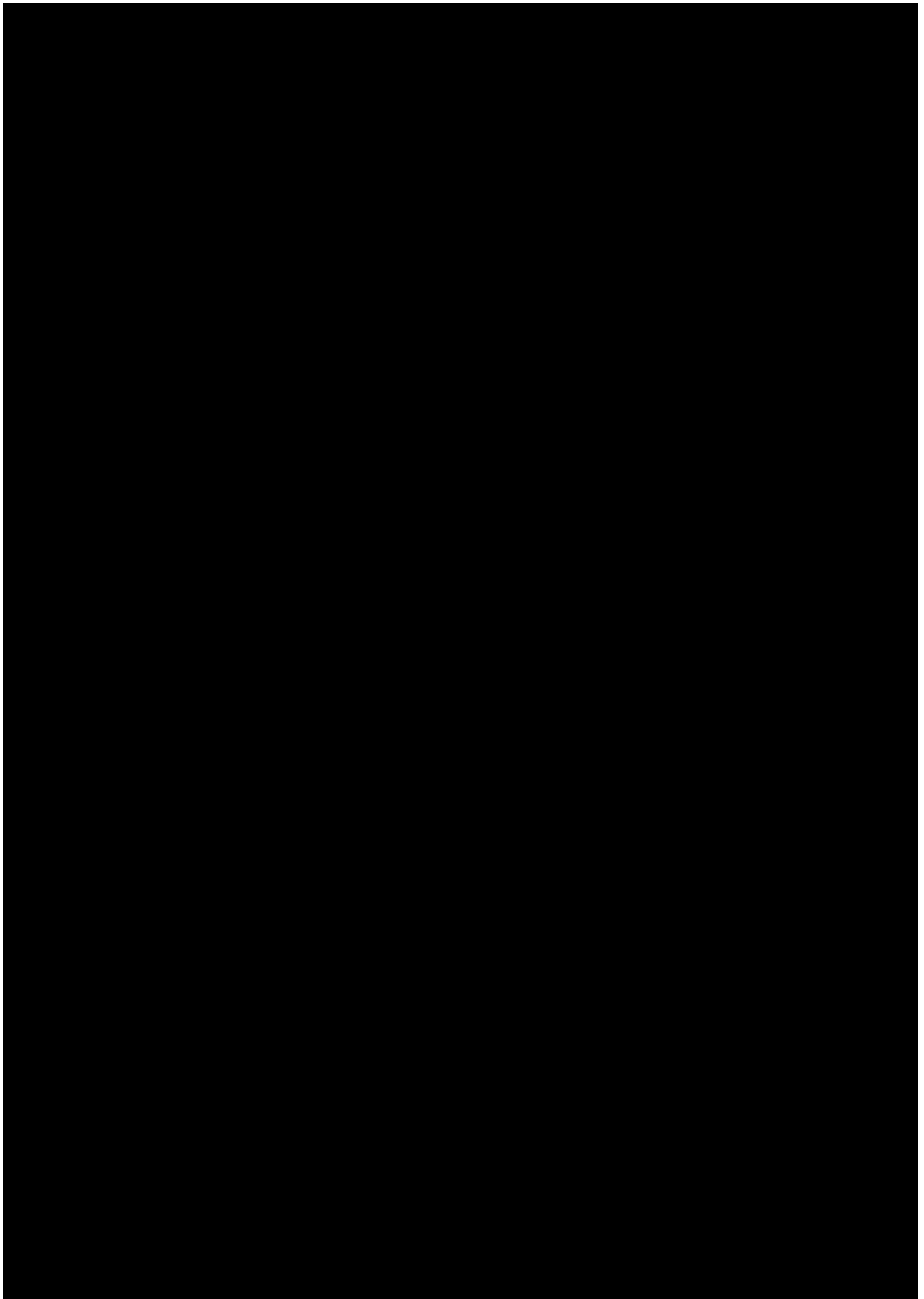
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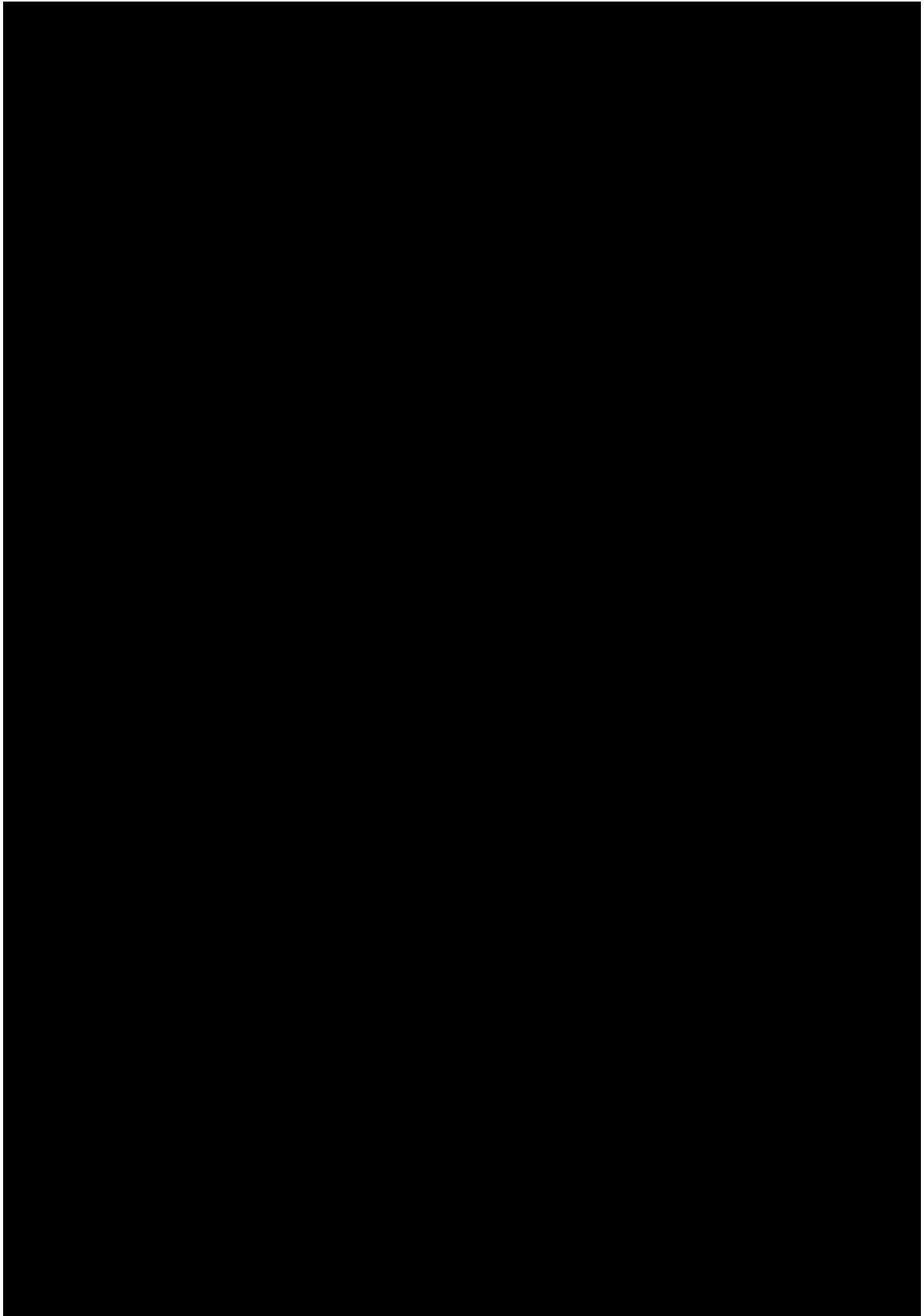


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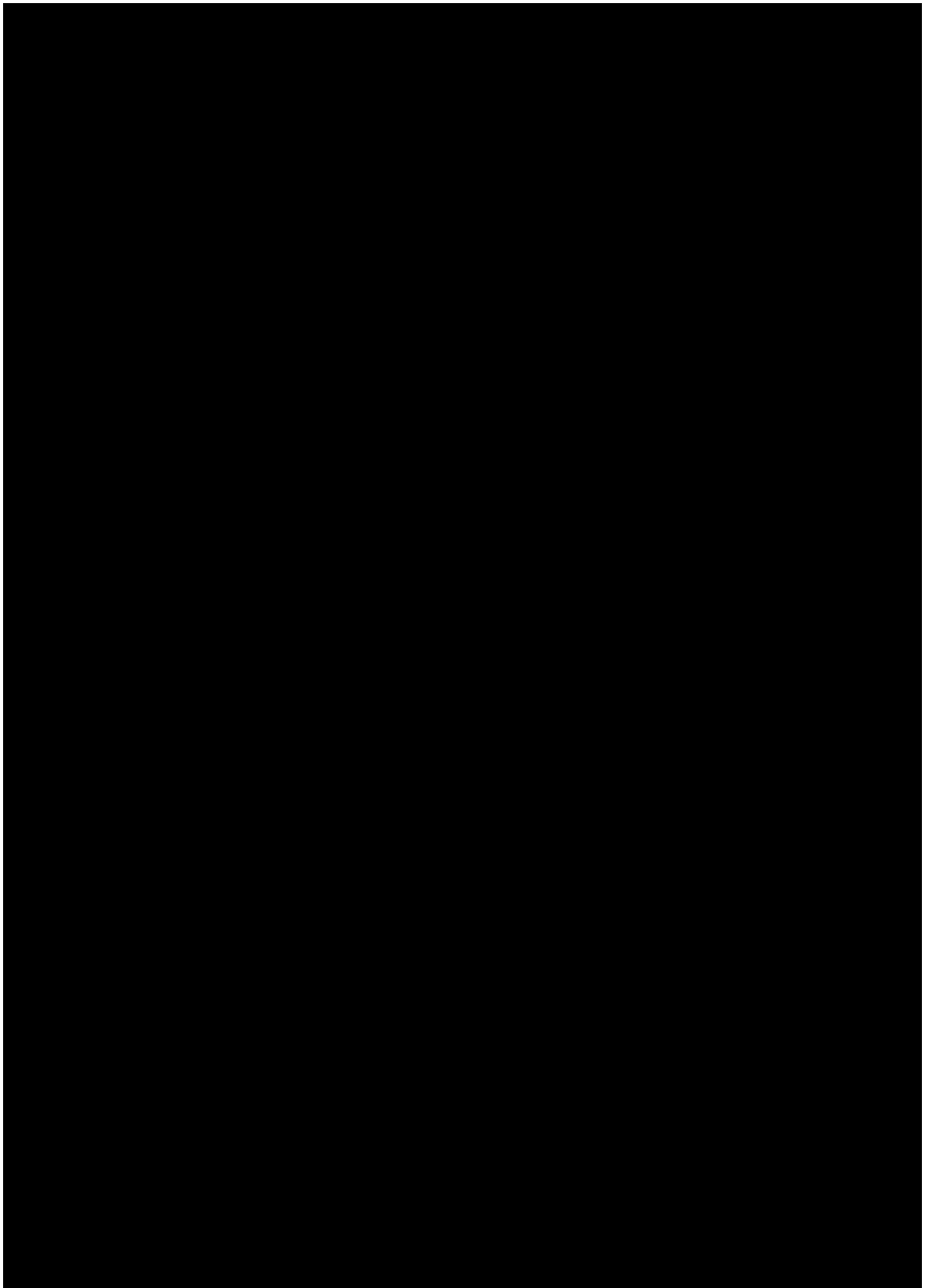




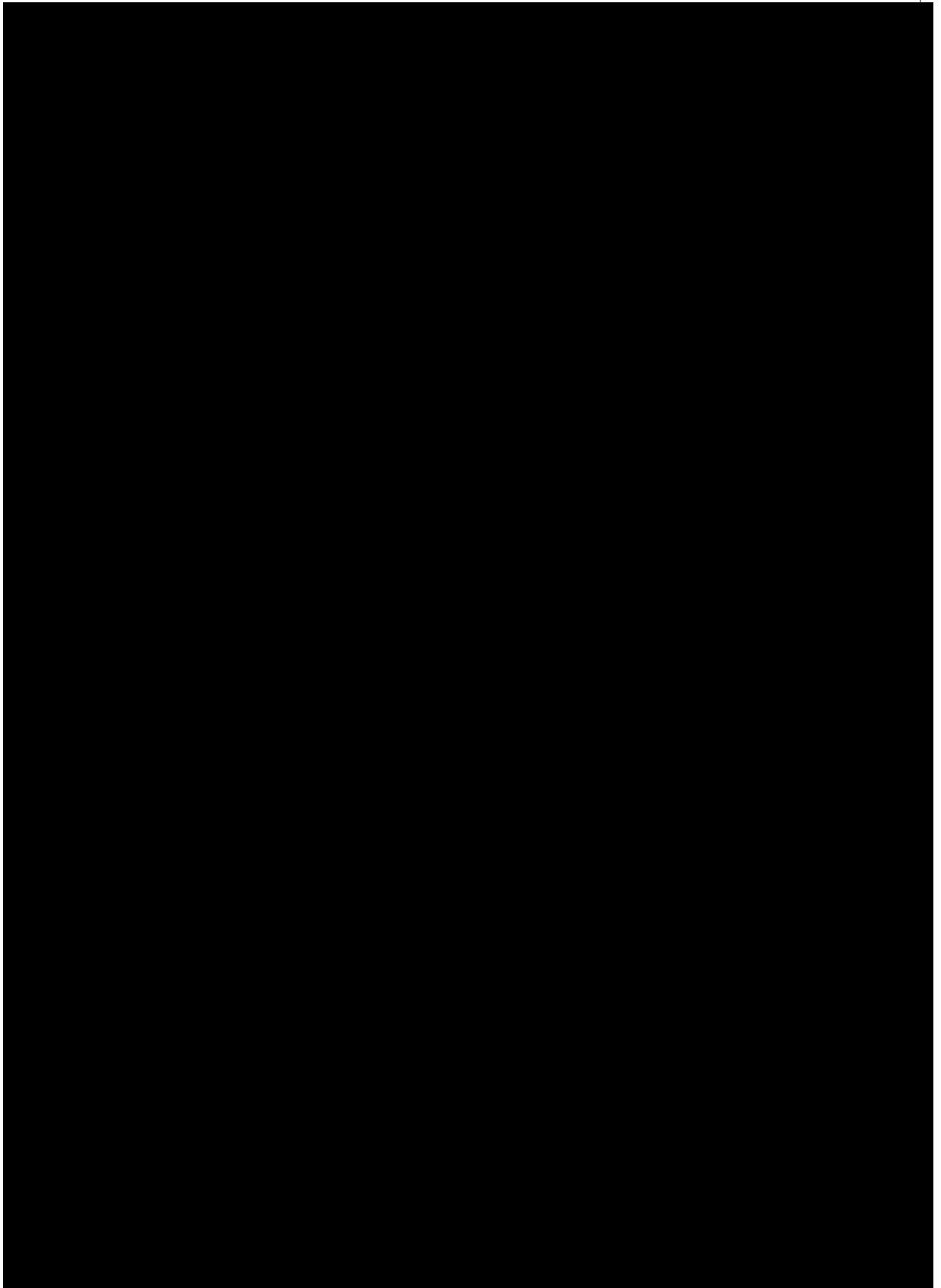
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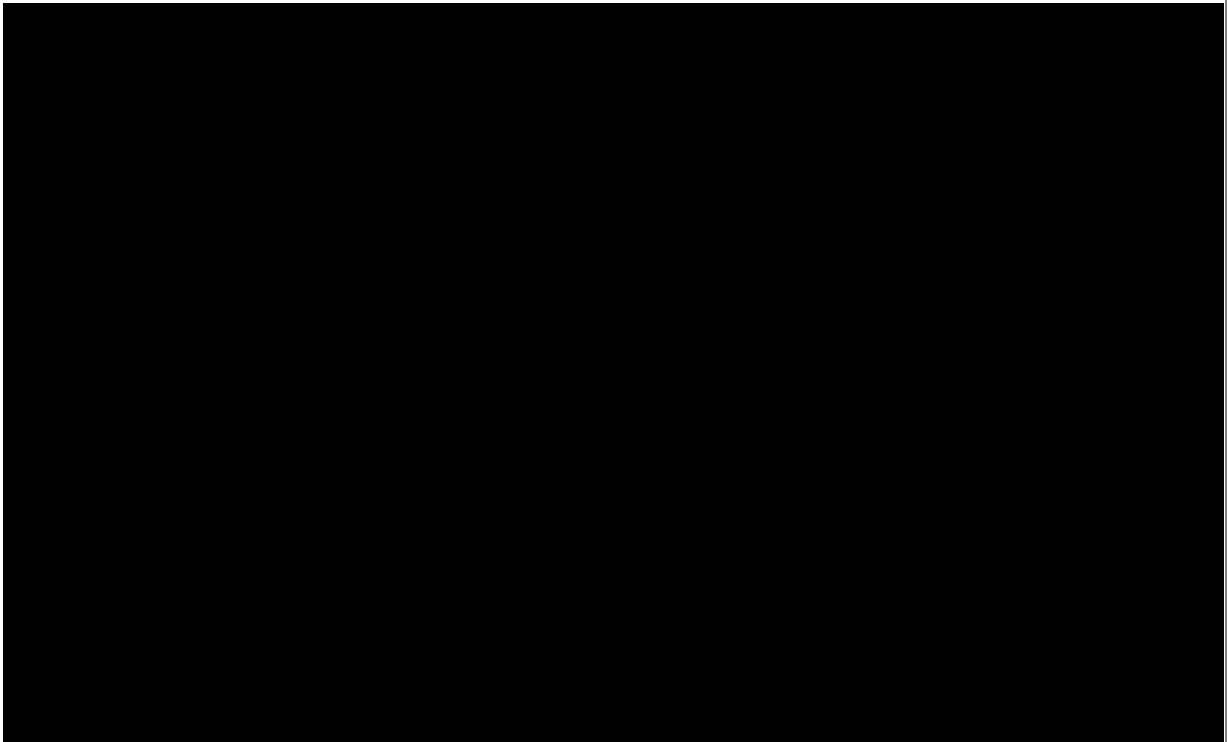
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MR. MILLER: You can put that document aside.  
Let's just go off the record. Take another  
short break.

THE VIDEOGRAPHER: This marks the end of  
Media No. 6 in the deposition of John Lopez.

The time is 5:41 p.m. We are off the record.  
(Recess taken.)

THE VIDEOGRAPHER: This marks the beginning  
of Media No. 7 in the deposition of John Lopez.

The time is 5:53 p.m. We are on the record.  
(Document marked Exhibit 18  
for identification.)

MR. MILLER: All right.

Q Mr. Lopez, you've been handed a document

1           "What about the stitch line under the  
2       insole?"

3           Do you know what he's referring to there?

4           A     Yes. So it appears to be a -- a misplaced  
5       stitch on the insole there on the left shoe.

6           Q     Which page are you looking at?

7                 Could you just identify it for the record by  
8       the Bates number.

9           A     Sure. It is '007768.

10                 And I can circle that as well.

11                 (Witness complies.)

12           Q     And you respond to Mr. Malekzadeh pointing  
13       that stitch out to you by saying:

14                 (As read):

15                 "Normal Nike defects. Mass produced shoe."

16                 What did you mean by that?

17           A     What I mean by that is, this particular shoe  
18       was released in high quantities. So there are  
19       examples where, you know, the quality or the standards  
20       will not be perfect on each one.

21           Q     How do you know that?

22           A     I know that from my personal experience with  
23       this particular shoe as well as my experience with  
24       StockX.

25           Q     And what is this particular shoe?